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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/580,859	03/01/2007	Walter Viegner JR.	102475.57672US	8826

23911 7590 10/09/2009
CROWELL & MORING LLP
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EXAMINER

JENNINGS, STEPHANIE M

ART UNIT	PAPER NUMBER
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3725

MAIL DATE	DELIVERY MODE
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10/09/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/580,859	Applicant(s) VIEGNER ET AL.	
	Examiner Stephanie Jennings	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments, see pages 1-5, filed September 11, 2009, with respect to the final rejection of June 12, 2009 have been fully considered and are persuasive. The final rejection of June 12, 2009 has been withdrawn.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 9-11, 13, 16-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Takeuchi et al. US Patent No. 4,845,972 in view of Drillon et al. US Patent No. 6,718,811. Takeuchi discloses a method of making a socket on a pipe (1) by introducing an expansion tool (3B) where the wall thickness is enlarged to a prescribed wall thickness (A) (column 2, lines 51-58) and the outer diameter of the pipe is limited by an upsetting device (2A and 3A) and a shaping shoe (2B) (column 2, lines 48-65).

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Regarding claim 9, Takeuchi discloses a steel material (abstract and col. 1, lines 9). Takeuchi does not disclose an expansion tool with one or more cylindrical or conical parts that determine a subsequent inner diameter of the pipe end. Drillon teaches a mandrel (14) with one or more conical and cylindrical parts (17, 18, 19, 20, 21) comprising a first cylindrical part (17) and a first part (18, 19) and a subsequent smaller second part (20, 21) (column 5, lines 40-51). It would have been obvious to one skilled in the art to provide the expansion tool of Takeuchi with a stepped diameter as taught by Drillon because the stepped mandrel provides a gradual expansion of the workpiece.

5. Claims 12, 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeuchi in view of Drillon as applied to claim 9 above, and further in view of Roper US Patent No. 4,295,357. Takeuchi in view of Drillon and in further view of Sakuma do not disclose upset pipe ends inwardly flanged for receiving sealing elements. Roper teaches a pipe with an inward flange (180) (column 9, lines 3-16). It would have been obvious to one skilled in the art to provide the device of Takeuchi in view of Drillon with the inward flange of Roper since the inward flange facilitates the receipt of sealing elements.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephanie Jennings whose telephone number is (571) 270-7392. The examiner can normally be reached on Monday-Thursday, 7 am - 5:30 pm EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dana Ross can be reached on (571) 272-4480. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. J./

Examiner, Art Unit 3725

October 7, 2009

/Dana Ross/

Supervisory Patent Examiner, Art Unit 3725